

Joshua Adam Schulte, *pro se*

June 4, 2022

BY HAND

Judge Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

RE: *United States v. Joshua Adam Schulte*, S3 17 Cr. 548 (JMF)

Dear Judge Furman:

After receiving the government's witness list, I move to preclude the government from eliciting expert testimony about the classification of the MCC documents from any of the three CIA witnesses (Jeremy Weber, Frank Stedman, and Anthony Leonis). I also move to preclude the entire cumulative testimony of "Frank Stedman."

At the first trial, the government introduced the MCC notebooks through the CIA witnesses. The government then asked each of them for expert testimony about the classification of those documents. However, the three CIA witnesses have no special training in classification—they have all taken the same 4-hour training I took during orientation. The CIA has an entire group of experts in classifying documents including the Prepublication Review Board (PRB), which is responsible for reviewing and making final classification decisions for the entire Agency. The government cannot be permitted to introduce the amateur testimony of these three witnesses as expert classification testimony; their testimony about their opinions as to the classification of the MCC notebooks must be precluded pursuant to Fed. R. Evid. 702.

Finally, Frank Stedman's testimony at the first trial was entirely cumulative; he offers no new evidence not already introduced through both Jeremy Weber and Anthony Leonis. Accordingly, Frank Stedman should be precluded from testifying.

Respectfully submitted,

Joshua Adam Schulte

